



DOCKET NO.: M1100.70002US00

1623  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Roncucci, et al.  
Serial No.: 10/532,278  
Confirmation No.: 8497  
Filed: April 21, 2005  
For: MESO-SUBSTITUTED PORPHYRINS  
Examiner: Paul V. Ward  
Art Unit: 1623

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 16 day of December, 2005.

Tina Hanifin

**MAIL STOP AMENDMENT**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Information Disclosure Statement
- PTO Form 1449 with cited references
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,  
*Gabrio, et al., Applicants*

By:

Michael J. Pomyanek

Michael J. Pomyanek, Ph.D., Reg. No.: 46,190  
Wolf, Greenfield & Sacks, P.C.  
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Docket No.: M1100.70002US00

Date: December 16, 2005

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**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed before the mailing of a first Office action on the merits in the above-identified case.

No fee or certification is required.

**PART II: Information Cited**

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Serial No.: 10/532,278  
Conf. No.: 8497

- 3 -

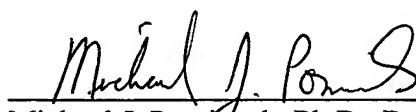
Art Unit: 1623

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

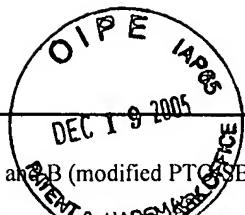
By:

  
Michael J. Pomiczek, Ph.D., Reg. No. 46,190  
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Docket No.: M1100.70002US00

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FORM PTO-1449/A and B (modified PTO-1449B/08)				APPLICATION NO.: 10/532,278	ATTY. DOCKET NO.: M1100.70002US00
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				FILING DATE: April 21, 2005	CONFIRMATION NO.: 8497
				APPLICANT: Roncucci, et al.	
Sheet	1	of	1	GROUP ART UNIT: 1623	EXAMINER: Paul V. Ward

#### U.S. PATENT DOCUMENTS

Examiner's Initials #	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	6	5,965,598		Roncucci, et al.	10-12-1999

#### FOREIGN PATENT DOCUMENTS

Examiner's Initials #	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			
	7	WO	02/090361	A1	L. Molteni & C. Dei Fratelli Alitti	11-14-2002	

#### OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials #	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	8	Jori, Giulio, "Tumour photosensitizers: approaches to enhance the selectivity and efficiency of photodynamic therapy," <i>Journal of Photochemistry and Photobiology</i> , Vol. 36, pp. 87-93 (1996).	
	9	Merchat, Michele, et al., "Meso-substituted cationic porphyrins as efficient photosensitizers of Gram-positive and Gram-negative bacteria," <i>Journal of Photochemistry and Photobiology</i> , Vol. 32, pp. 153-157 (1996).	
	10	Merchat, M., et al., "Studies on the mechanism of bacteria photosensitization by meso-substituted cationic porphyrins," <i>Journal of Photochemistry and Photobiology</i> , Vol. 35, pp. 149-157 (1996).	

EXAMINER:

DATE CONSIDERED:

<sup>#</sup> EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.